

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

GARY GOLDMAN, et al.,)	
)	
Plaintiffs,)	CASE No. 10-cv-3051
)	
and)	Judge Robert W. Gettleman
)	
DIETZ & WATSON, INC. UNION EMPLOYEES)	Magistrate Judge Nan R. Nolan
PENSION PLAN, et al.,)	
)	JURY TRIAL DEMANDED
Plaintiffs-Intervenors,)	
)	
v.)	
)	
DANIEL SPITZER, et al.,)	
)	
Defendants.)	

**PLAINTIFFS' AND PLAINTIFFS-INTERVENORS' AGREED MOTION TO
EXCUSE INDIVIDUAL PLAINTIFFS FROM ATTENDANCE AT THE
SETTLEMENT CONFERENCE**

Plaintiffs and Plaintiffs-Intervenors, by and through their counsel, respectfully move for an order excusing the individuals from attending the settlement conference on September 21, 2012, for the reasons set forth below.

1. This securities fraud action is brought by 51 victims of a \$100 million Ponzi scheme. Plaintiffs have obtained default judgments against the principal defendants and the investment funds (the "Funds").
2. Plaintiffs' counsel have full settlement authority to settle plaintiffs' and plaintiffs-intervenors' claims against defendant Brian Donahue, the accountant for the Funds.
3. Defense counsel has agreed to this motion.

4. Plaintiffs' counsel have successfully settled claims against defendant Walter Salvadore, on behalf of the 51 investors in this case, after Salvadore filed a petition for bankruptcy.
5. The 51 investor plaintiffs are geographically dispersed and it would be difficult and expensive for them to travel to Chicago for a settlement conference. Defense counsel has also indicated that defendant Donahue has limited financial resources.
6. Plaintiffs therefore request that their personal appearance at the settlement conference be excused on September 21, 2012.

September 14, 2012

Respectfully submitted,

/s/ Nancy A. Temple
One of the Attorneys for Plaintiffs

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